

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1 and 5 are currently being amended, and claim 2 is cancelled.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1 and 3-6 are now pending in this application.

Reconsideration is respectfully requested of the rejection of original claims 1-6 under 35 U.S.C. § 103(a) as being unpatentable over Blair (U.S. 5,457,965) in view of Dienhart et al. (U.S. 6,216,477, hereinafter "Dienhart"), in view of the foregoing amendments and the comments that follow.

Independent claims 1 and 5 have been amended so that they are now directed to the subject matter defined by the second alternative in original claim 2, i.e., a method/system in which the refrigerant superheat (dT_u) at the evaporator is measured by using the difference between a temperature (T_{LVA}), measured on the evaporator outlet side, of a medium led over the evaporator for the purpose of cooling the medium, and the refrigerant temperature (T_{KVE}) measured on the evaporator inlet side. Blair does not disclose or suggest such a method or system. In Blair, the temperature difference is measured between the refrigerant temperature at the inlet and outlet sides 106, 108 of the evaporator, by means of refrigerant sensors 102, 104 respectively positioned at those two locations. No suggestion is contained in Blair, or in Dienhart, that the refrigerant temperature sensor 104 located at the evaporator outlet side can be eliminated.

The presently claimed invention furthermore provides a significant advantage over the system and method of Blair. According to the present invention, a separate refrigerant temperature sensor located at the evaporator outlet side can be dispensed with, and an air temperature sensor (11) placed at the air outlet side of the evaporator can be used to

calculate the refrigerant superheat (dT_ü) at the evaporator. Such an air temperature sensor is typically present in an automotive A/C system, for other purposes, and therefore the presently claimed method/system can dispense with the refrigerant sensor at the outlet side of the evaporator without a corresponding expense of incorporating a new and different type of sensor in the system.

For these reasons, it is believed that independent claims 1 and 5, as well as the remaining claims which depend therefrom, define subject matter that is patentable over the cited art. For at least these reasons, reconsideration and withdrawal of the rejection are respectfully requested.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application, as amended, and a Notice of Allowance of all claims are courteously solicited.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

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The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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